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**Subject:** 30 MINUTE WARNING - REGION 6 WEEKLY REPORT  
**Date:** Thursday, October 5, 2017 12:55:24 PM

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**30 MINUTE WARNING – PLEASE MAKE YOUR CHANGES, DELETIONS AND ADDITIONS IN RED**

## **UPCOMING HOT ISSUES AND IMPORTANT DEADLINES**

### **Tropical Storm Nate**

Tropical Storm Nate is forecasted to continue strengthening over the Gulf of Mexico and could affect portions of the northern Gulf Coast of the United States as a hurricane this weekend, with direct impacts from wind, storm surge, and heavy rainfall. Some models have the storm making landfall near New Orleans, Louisiana. The State of Louisiana Emergency Operations Center has been partially activated. EPA anticipates sending a representative to the state EOC soon. EPA has begun storm preparations at both Superfund removal actions and Superfund NPL sites within projected impact areas.

### **Arkema Inc., Houston, Texas**

EPA intends to conduct a Risk Management Plan (RMP) inspection at the Arkema Inc. Houston Plant, located in Houston, Texas to determine compliance with the Clean Air Act (CAA) Section 112(r) and 40 CFR Part 68 Chemical Accident Prevention requirements. The inspection will focus on compliance with RMP requirements. The Texas Commission on Environmental Quality (TCEQ) has been invited to attend. TCEQ has not requested delegation of the Chemical Accident Prevention Provisions under 40 CFR Part 68 and EPA conducts the inspections for facilities regulated under this program in the State of Texas. This inspection falls under the National Enforcement Initiative under 112r for Chemical Plants. Press interest continues to be high.

### **San Jacinto River Waste Pits Superfund Site, Harris County, Texas**

EPA continues to finalize the Record of Decision and supporting Administrative Record for the San Jacinto Waste Pits Superfund site in Harris county, Texas. The proposed remedy requires the Administrator's signature. EPA will expect to transmit the package to Headquarters on October 5 for processing. An announcement is expected on October 13. On October 28, EPA announced damage to the temporary armored cap and exposure of dioxin containing waste material. The damaged area has been repaired. The potentially responsible parties have been directed to collect 7 supplemental samples to determine if contaminated material migrated from the damaged area. The potentially responsible parties have also conducted a bathymetric survey on the river bottom outside of the cap perimeter to evaluate changes in the river bottom after Hurricane Harvey. Changes could impact cap stability and results are expected soon. EPA provided the House Energy and Commerce staff an update on repairs to the temporary armored cap on October 4. Press and Congressional interest continues to be high.

### **Denka, LaPlace Parish, Louisiana**

Louisiana Department of Environmental Quality (LDEQ) requested EPA continue to perform air monitoring for chloroprene at six locations near the Denka facility in LaPlace, Louisiana for one year after the Regenerative Thermal Oxidizer (RTO) commences operation in December 2017. The state of Louisiana and Denka have entered into an Administrative Order of Consent to implement reduction projects for chloroprene emissions from the plant. EPA has committed to continue air monitoring until the current continuing resolution expires on December 8 and will continue as additional funding is made available. LDEQ is reviewing EPA's draft summary report of chloroprene monitoring for the past 12 months and the report is expected to be finalized this month. LDEQ and Parish officials are scheduled to meet on October 24 in LaPlace. [Press and Congressional interest continue to be high.](#)

### **Pawhuska School District, Pawhuska, Oklahoma**

The Osage Minerals Council reported that the well on the softball field is plugged. As a result of this recent plugging, monitoring of the softball field is ongoing and continues to detect gas readings. Asst. Principal Chris Walker, in conjunction with the OCC, will monitor and document gas readings at the High School and softball field for the next 60 days. The softball field will remain closed during this time. The Oklahoma Corporation Commission OCC requested EPA assistance by collecting soil samples in the plugging area to establish a background on possible oil and gas drilling contaminants. The gas seep technical group will reconvene in 60 days to discuss findings and determine next steps in the process, if needed.

### **Bird Creek, Osage County, Oklahoma**

Proposed shut-in Orders have been issued to three companies; Warren American Oil Company, Jireh Resources LLC, and Novy Oil and Gas, Inc., applicable to seven UIC wells. All three companies have submitted requests for a hearing scheduled for October 11 in Tulsa, and all are represented by counsel.

### **Dairy Inspections, Southeast Louisiana**

EPA and Louisiana Department of Environmental Quality will conduct small dairy AFO (Animal Feeding Operations) sampling inspections will be conducted within the St. Helena, Tangipahoa and Washington Parishes to evaluate the animal waste management operations of some of the approximately 93 dairy farm sites located within those parishes. Most of these dairies do not have adequate lagoon dewatering and land application capabilities, and if an unpermitted dairy wastewater discharge to a waterway is noted, a sample will be collected.

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### **Tijeras Arroyo, New Mexico**

The New Mexico Environment Department's Surface Water Quality Bureau submitted the nutrients (total phosphorus and total nitrogen) Total Maximum Daily Loads (TMDL) to EPA for approval. The TMDLs included a 30-day public comment period from June 12, 2017 to July 12, 2017. The TMDLs were approved by the New Mexico Water Quality Commission on September 12, 2017. EPA

anticipates approving these TMDLs no later than October 13, 2017.

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### **Camp Minden, Minden, LA**

EPA and the Louisiana Department of Environmental Quality (LDEQ) will complete their initial review of the draft Closure Plan this week and provide comments to the Louisiana Military Department (LMD). The plan includes the following language “LMD will determine the eventual disposition of the Contained Burn System”. The Camp Minden Community Advisory Group (CAG) meeting is next week in Minden, where topics include reviewing the most recent soil sampling results and briefing the status of the Closure Plan following the destruction of explosive propellants at the site.

### **Macy’s Retail Holdings, Inc.**

On September 26, 2017, the US Environmental Protection Agency, Region 6, (Region 6) filed a Consent Agreement and Final Order, settling claims brought pursuant to the Resource Conservation and Recovery Act (RCRA) against Macy’s Retail Holdings, Inc., (Macy’s). As a major retail chain in the US, Macy’s generates several thousand pounds of hazardous wastes annually, from its returns and unused cosmetic liquids and other cosmetic products. Overall, Macy’s generated over 269,168 pounds of hazardous waste during a three-year period (from 2012 to 2015) for the 44 locations identified in the CAFO. Macy’s has agreed to expand the findings of the Third-Party audits to its approximately 626 additionally stores nationwide share training products. EPA and state of Oklahoma are planning a joint announcement of this action.

### **Citizen Potawatomi Nation of Oklahoma**

Region 6 is preparing so send the final concurrence package to Headquarters’ Office of Water, General Counsel and Tribal Affairs for the approval of the treatment as a state authority (TAS) for Citizen Potawatomi of Oklahoma to administer water quality standards and certification program under the federal Clean Water Act.

### **Georgia Pacific, Crossett, Arkansas**

On May 19, 2017, EPA sent an Interim Objection Letter to Arkansas Department of Environmental Quality (ADEQ) seeking more information on the GP Crossett draft discharge permit. On August 14, 2017, ADEQ requested supplemental information for the permit application submitted on May 22, 2015. ADEQ requests additional detail regarding: a description of the current wastewater treatment system, documentation clearly demonstrating that the portion of Coffee Creek located above Mossy Lake is separate from the Georgia Pacific Crossett (GP) wastewater treatment process, and a qualified estimation that the discharge from Outfall 001 is protective of the Ouachita River during periods when Mossy Lake is flooded.

### **NEPA**

None

## **UPCOMING PUBLIC EVENTS**

October 18 – Louisiana Air & Waste Management Conference, Baton Rouge, LA. EPA will present on the the impact of Hurricane Harvey to the Gulf Coast.

October 13 – House Energy and Commerce Member Briefing on State and Federal Hurricane Response Efforts, Washington DC. Regions 2, 4, and 6 have been invited to make presentations along with TCEQ Chairman Shaw and Florida Secretary Valenstein.

October 27 – Arkansas Environment Federation 50<sup>th</sup> Annual Convention, Hot Springs, AR. Acting Regional Administrator will keynote.

November 29 – 30 - Regional Tribal Operations Committee (RTOC) meeting, Tulsa, Oklahoma

## **UPCOMING DECISIONS**

### **Approval of Tonkawa Tribe of Oklahoma and Absentee Shawnee Tribe of Oklahoma for CWA Section 319(h) Grants**

EPA will approve Treatment As State (TAS) applications for the Tonkawa Tribe of Oklahoma and Absentee Shawnee Tribe of Oklahoma to receive Clean Water Act funds to monitor water quality and implement non-point source controls on tribal lands. This approval allows both tribes to be eligible to receive an annual allocation of \$30,000 funding to implement nonpoint source controls on tribal lands in fiscal year 2018. In the state of Oklahoma, 5 tribes have approved for CWA Section 319(h) funds.

### **Bandera Road Ground Water Plume Superfund Site, City of Leon Valley, Texas**

EPA and Department of Justice have successfully negotiated a Cash-out Settlement Agreement with Savings Square Partners, LTD for \$1,820,000 for payment of past cost incurred at the site. EPA has taken actions to prevent the use of contaminated ground water and to mitigate indoor air impacted through vapor intrusion from the site. This action will be proposed in the Federal Register for a 30-day public comment period.

### **Oklahoma Coal Combustion Residual Permit Program**

EPA intends to certify the ODEQ application submission for the state's Coal Combustion Residual (CCR) permit program. Oklahoma is the first state in Region 6 to submit an application. The State has developed rules and authorities to operate the program. In August, EPA released an interim final guidance to help states develop and submit permit programs for the safe management of coal combustion residuals (CCR), commonly known as coal ash, to EPA for review and approval.

## **PAST WEEK ACCOMPLISHMENTS**

### **DFW 2008 Ozone Nonattainment and RACT for VOC requirements for NAAQS**

EPA proposed approval of SIP revisions to approve revised regulations that limit VOC air emissions and a demonstration that the DFW area meets VOC RACT requirements for the 2008 ozone NAAQS.

#### **Texas Regional Haze and Interstate Visibility Transport Final Action**

EPA has partially approved the Texas Clean-air Plan for Regional Haze and Interstate Visibility Transport and finalized a Federal Implementation Plan for a best available retrofit technology (BART) alternative that includes an intrastate trading program for sulfur dioxide

#### **Exxon Mobil Refinery, Beaumont, TX**

EPA approved a delisting exclusion for the surface impoundment basin solids.

The Exxon Mobil Refinery in Beaumont submitted a delisting petition to EPA in August of 2016. Exxon Mobil is scheduled to clean out the refinery's surface impoundment basin and remove sludge that has built up over more than a decade. Approximately, 400,000 cubic yards of generated waste is scheduled to be removed.

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#### **PENDING ACTIONS (Pending Federal Register Publication)**

DFW 2008 Ozone Nonattainment and RACT for VOC requirements for NAAQS

Texas Regional Haze and Interstate Visibility Transport Final Action